

State of South Dakota

SEVENTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2003

51710627

HOUSE HEALTH AND HUMAN SERVICES
COMMITTEE ENGROSSED NO. **HB 1210** -
02/19/2003

Introduced by: Representatives Bradford, Elliott, Glenski, Hanson, Hundstad, Nesselhuf, and Sigdestad and Senators Moore and Kloucek

1 FOR AN ACT ENTITLED, An Act to allow for a nursing facility to be constructed on an
2 American Indian reservation under certain circumstances.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 34-12 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Notwithstanding the provisions of §§ 34-12-35.3 and 34-12-39.1, a new nursing facility as
7 defined in § 34-12-1.1 may be constructed, operated, and maintained in an area if the facility is
8 to be located on an American Indian reservation and is required to serve a local population
9 previously unserved through lack of nursing facilities within a forty-five-mile radius. No more
10 than one such nursing facility may be located within the same American Indian reservation, and
11 the number of beds in the nursing facility may not exceed fifty. The nursing facility shall meet the
12 specifications of chapter 34-12 for a licensed nursing facility in order to participate in the
13 medicaid program.

14 Section 2. No state funds may be used for the construction of a nursing facility built pursuant



1 to section 1 of this Act.

2 Section 3. This Act is repealed on June 30, 2005.